



Demovsky Lawyer Service

Premier Nationwide Document Retrieval
and Process Service Company

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GETTY IMAGES (US), INC.,

Plaintiff,

-against-

RUTH INDUSTRIES, INC.,

Defendant.

Case No. 08 CV 3564
(Judge Pauley)

AFFIDAVIT OF SERVICE

STATE OF MISSOURI)

S.S.:)

COUNTY OF SAINT LOUIS)

Mark Rauts

, being duly sworn, deposes and says that he/she is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 16th day of April, 2008, at approximately the time of *9:49 am* deponent served a true copy of the SUMMONS IN A CIVIL ACTION; COMPLAINT FOR COMPENSATORY, STATUTORY AND OTHER DAMAGES AND INJUNCTIVE RELIEF; CIVIL COVER SHEET; INDIVIDUAL PRACTICES OF JUDGE WILLIAM H. PAULEY III; AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE RONALD L. ELLIS upon RUTH INDUSTRIES, INC. c/o Hutch & Eppenberger LLC, Registered Agent at 190 Carondelet Plaza, Suite 600, St. Louis, MO, by personally delivering and leaving the same with *Jennifer Schwendemann* who informed deponent that *she* holds the position of *Director Risk management* with that company and is authorized by appointment to receive service at that address.

Jennifer Schwendemann is a *white female*, approximately *45* years of age, stands approximately *5* feet *7* inches tall, weighs approximately *180* pounds with *red* hair.

[Signature]
PROCESS SERVER

Sworn to before me this
23 day of April, 2008

[Signature]
NOTARY PUBLIC

KELLEY A. BANNISTER
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: May 13, 2011
Commission # 07480028